

**IDAHO BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY
ADMINISTRATORS**

**Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063**

Board Meeting Minutes of 1/25/2018

BOARD MEMBERS PRESENT: Heidi Brough Nye - Chair
Kristen E Hyde
Natalie M Nathan
Ann F Wheeler
Linda L Simon

BUREAU STAFF: Tana Cory, Bureau Chief
Eric Nelson, Board Prosecutor
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Mary Miles, Technical Records Specialist II
Kellie LaBonte, Technical Records Specialist II

OTHERS PRESENT: Kathleen Little, The Cottages
Paul Arnell, The Orchards
Scott Morehouse
Robert VandeMerwe, Idaho Health Care Association
Estee Nowak, Brookdale
Kris Ellis, Idaho Health Care Association

The meeting was called to order at 10:00 AM MST by Vice Chair Simon

APPROVAL OF MINUTES

Ms. Nathan made a motion to approve the minutes of 10/19/2017 and 11/14/2017. It was seconded by Ms. Hyde. Ms. Wheeler abstained. Motion carried.

Ms. Cory introduced Julie Eavenson, the Bureau's Administrative Support Manager. Ms. Cory explained that one of Ms. Eavenson's duties will be assisting Boards with completing responses to the Executive Order which will be discussed in detail later in the meeting.

Ms. Cory introduced Ann Wheeler as the new public member for the Board.

FINANCIAL REPORT

Ms. Cory gave the financial report, which indicated that the Board had a cash balance of (\$93,420) as of 12/31/2017.

Ms. Brough Nye arrived and chaired the remainder of the meeting.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number RCA-2018-4. Ms. Wheeler made a motion to authorize closure with an advisory letter to be sent to the respondent. It was seconded by Ms. Nathan. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order in case RCA-2017-8. Ms. Hyde made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Nathan. Ms. Wheeler abstained. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Wheeler made a motion to approve the Bureau's recommendation and authorize closure in case I-RCA-2017-2. It was seconded by Ms. Hyde. Motion carried.

Ms. Peel reviewed the voluntary surrender process and collections process with the Board.

LEGISLATIVE INTERIM COMMITTEE

Mr. Ellsworth stated that the Idaho Legislature has an Interim Committee that has been studying the use of hearing officers and is also looking at the Idaho Administrative Procedures Act. Draft legislation was presented at the Interim Committee's last meeting that would make substantial changes to the Idaho Administrative Procedures Act and the way contested cases are handled. The Bureau submitted a letter to the Committee seeking clarification concerning some of the proposed changes prior to the Committee's meeting on October 2, 2017. As the Bureau receives additional information, it will be provided to the Board.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

UPDATE FROM SUBCOMMITTEE

Ms. Brough Nye said that the subcommittee consists of the Board chairs of the Residential Care Administrators Board (RCA) and Nursing Home Administrators Board (NHA); two RCA licensees and two NHA licensees all of whom were nominated by the Idaho Health Care Association; and Mr. VandeMerwe of the Idaho Health Care

Association. Ms. Cory, Mr. Hales, and Bureau staff also attended the meeting. During the meeting, the Health Services Executive credential, Nursing Home Administrator in Training hours and combining of the RCA and NHA Board were discussed. Additionally, the subcommittee members were asked to attend Board meetings to see the Board's processes in action. The next subcommittee meeting is set for Friday, February 9, 2018 from 1:00 PM to 3:00 PM at the Bureau of Occupational Licenses.

Ms. Cory updated the Board as to the last Nursing Home Administrator Board meeting held on January 11, 2018. She stated that in regard to the Health Services Executive credential, Administrator in Training Hours, Mr. VandeMerwe presented the proposed law change to Idaho Code 54-1610 to the Nursing Home Administrator Board. Mr. Thompson, the Chair of the Nursing Home Administrators Board, originally raised the issue of changing the administrator in training hours. The NHA Board reviewed the legislation and did not see any concerns with the draft statute. The legislation will be carried by the association, since the Board's timeline to submit the change has passed.

EXECUTIVE ORDER

Ms. LaBonte outlined the Board's role in responding to the Lt. Governor's Executive Order. There is a template that will be used to complete each Board's response, and the template contains six sections:

- A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal
- B. Applications and Renewals Denied – May 19, 2017-May 19, 2018
- C. Disciplinary Actions – Past 5 Years
- D. Law, Rule, or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry
- E. Assessment of Public Interest
- F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Bureau will be responsible for gathering and entering all of the data sections A, B and C of the template. The Bureau and each Board will jointly fill in section D regarding the Law, Rule or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry. The Board Specialist and Administrative Support Manager will assist the designated Board member with writing sections E and F.

Ideas for the EO that come up between meetings cannot be shared among Board members outside of Board meetings, but may be forwarded to the Board Specialist or Administrative Support Manager for inclusion in the next meeting. The process will be completed in three meetings: 1) discussion, 2) review and approve a rough draft, and 3) review and approve a final draft. The final draft must be completed and approved by June 15, to meet the July 1, deadline for responding.

AUDIT LETTER AND COURSE CERTIFICATE LANGUAGE

The Board reviewed the Idaho Health Care Association course completion certificate form which was revised by Mr. VandeMerwe. This revision will assist the Board when reviewing continuing education documents submitted for audits or when reinstating a license. The Board also reviewed the audit letter template sent out to licensees who have been selected for a continuing education audit. No action was taken.

Ms. Brough Nye asked for members of the audience to introduce themselves to the Board.

NEW BUSINESS

BOARD ELECTIONS

Ms. Wheeler made a motion to retain the current Chair and Vice Chair. It was seconded by Ms. Nathan. Motion carried.

NATIONAL ASSOCIATION OF LONG TERM CARE ADMINISTRATOR BOARDS (NAB) MID-YEAR MEETING REPORT

Ms. Brough Nye reported on the mid-year NAB meeting. She said that the focus of the meeting was the Health Services Executive credential and portability. The Health Services Executive credential was discussed. Ms. Brough Nye shared a PowerPoint presentation regarding a continuing education registry, which will show courses that have been approved by NAB. She said that this registry will be helpful when it comes to continuing education audits.

Ms. Nathan made a motion to authorize the Board Chair to attend the annual NAB meeting in June. It was seconded by Ms. Hyde. Motion carried.

EXECUTIVE SESSION

Ms. Hyde made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Wheeler. The vote was: Ms. Brough Nye, aye; Ms. Hyde, aye; Ms. Nathan, aye; Ms. Simon, aye; and Ms. Wheeler, aye. Motion carried.

Ms. Wheeler made a motion to come out of executive session. It was seconded by Ms. Nathan. The vote was: Ms. Brough Nye, aye; Ms. Hyde, aye; Ms. Nathan, aye; Ms. Simon, aye; and Ms. Wheeler, aye. Motion carried.

APPLICATIONS

Ms. Hyde made a motion to approve application 901155926 pending receipt of additional information to be reviewed by the Board Chair or designated Board member. It was seconded by Ms. Wheeler. Motion carried.

Ms. Nathan made a motion to table application 901154799 pending receipt of additional information. It was seconded by Ms. Wheeler. Motion carried.

CORRESPONDENCE

Ms. Nathan made a motion for Ms. LaBonte to send a letter to Mr. Cory Sanford inviting him to attend the next Board meeting. It was seconded by Ms. Wheeler. Motion carried.

SECURE WEBSITE DEMONSTRATION

Ms. Miles provided a brief demonstration of the secure website that may be used to conduct future meetings and conference calls. The secure website may also be used by the designated Board member when reviewing applications between Board meetings. The Board would like to begin using the secure website.

NEXT MEETING was scheduled for Thursday, April 5, 2018 at 10:00 AM.

ADJOURNMENT

Ms. Wheeler made a motion to adjourn the meeting at 12:48 PM. It was seconded by Ms. Nathan. Motion carried.

Heidi Brough Nye, Chair

Kristen E Hyde

Natalie M Nathan

Ann F Wheeler

Linda L Simon

Tana Cory, Bureau Chief